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November 22, 2010

HON. BRIAN M. COGAN
United States District Judge
Eastern District of New York
225 Cadman Plaza East
Brooklyn, NY 11201

Re: United States v. Sebastiano Saracino
CR 10-0173-BMC

Dear Judge Cogan:

I am the attorney of record for defendant Sebastiano Saracino. The defendant is currently released on a \$1,500,000 bond, with electronic monitoring and a curfew between the hours of 8:30 p.m. and 6:30 a.m. The defendant resides in the Northern District of California and his pre-trial release is supervised in that district.

I am writing to request that Your Honor issue an order modifying the defendant's conditions of pre-trial release, extending the hours of the defendant's curfew to between 10:00 p.m. and 6:30 a.m., and to allow the United States Pretrial Services Officer in the Northern District of California the authority to make day to day modifications to the curfew. There are several reasons for this request.

First, the United States Pretrial Services Offices in the Eastern District of New York and the Northern District of California have examined the current conditions of pre-trial release and informed counsel that the supervising pre-trial services officer in the Northern District of California does not currently have the authority to make day to day modifications in the defendant's curfew. The officer would be in favor of the Court granting him this authority, to deal with any unforeseen circumstances that may arise on short notice.

Second, the defendant's wife has been steadily employed for the last several months. Ms. Saracino's employment is some distance from their house, and she has been recently assigned to evening shifts. Because of this, Ms. Saracino often cannot return in time to pick up their two daughters at school if there is an after school event such as a sports game. The defendant and his family live over 20 miles from the daughters' school, in a rural area. The extra time will allow the defendant to attend after-school sports events until completion and then drive his daughters home.

In addition, the extra time would enable the defendant, from time to time, to pick up his wife at her employment, when she works a shift that ends in the early evening. The extra two hours would also allow the defendant more time to confer with me regarding the case, as he lives some distance from my office.

I have spoken to AUSA James D. Gatta, and Mr. Gatta has agreed to this proposed modification. I have also spoken to U.S. Pretrial Services Officer Anthony Granados, San Jose, CA, who also told me that he has no objection to this request. I was informed by Officer Granados that Mr. Saracino is in compliance with all other conditions of his pre-trial release.

Jennifer Saracino, the defendant's wife, and the sole surety of the \$1,500,000 bond that is securing the pre-trial release of the defendant, is willing to file an acknowledgment and acceptance of this proposed modification, should the Court be willing to grant the request. I have attached her acceptance to this proposed change to this letter.

Thank you for your consideration of this request.

Sincerely,

/s/ John J. Jordan
Attorney for Sebastiano Saracino

c: AUSA Gatta
P.O. Granados

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA,

CR 10-0173-BMC

-against

SEBASTIANO SARACINO,

ACKNOWLEDGMENT OF
SURETY

also known as "Sebby" and
"Sebastian Saracino,"

Defendant.

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JENNIFER SARACINO, under penalty of perjury, states that:

1. I am the wife of defendant Sebastiano Saracino, and am the sole surety of the \$1,500,000 bond that is securing the pre-trial release of the defendant.
2. I am aware of the conditions for release of the defendant set forth in the bond, including the defendant's obligation to obey all conditions of his release, and specifically that he has been released on a condition of home confinement, with electronic monitoring and a curfew of between 6:30 p.m. and 6:30 a.m. every day.
3. I have been informed by counsel for the defendant that the Court has been asked to modify the conditions of pretrial release to: home confinement, with electronic monitoring and a curfew of between **10:00 p.m. and 6:30 a.m.** every day, and that the United States Pretrial Services Office will have the authority to adjust the day to day curfew.
4. I hereby acknowledge this change to the conditions of release for the

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defendant, that I have received notice thereof, and knowingly and voluntarily consent to remain bound as surety for the defendant's pretrial release.

Dated: November 18, 2010.

Jennifer Saracino

A handwritten signature in black ink, appearing to read "Jennifer Saracino". The signature is fluid and cursive, with "Jennifer" on top and "Saracino" below it, though the lines are connected.